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May 20, 2020

Via ECF

The Honorable Paul A. Engelmayer
United States District Judge
Southern District of New York
United States Courthouse
40 Foley Square
New York, New York 10007

Re: *United States v. Teman*, case no. 1:19-cr-696

Dear Judge Engelmayer:

Pursuant to your “individual rules of practice in criminal cases,” this letter serves as the Defendant Ari Teman’s request for a 45-day continuance/adjournment of the sentencing hearing (currently set for June 4, 2020). Teman makes this request for two reasons.

First, given the pandemic¹ it is our understanding that the courthouse is not, in general, conducting in-person proceedings, and that video/telephonic sentencings are on hold under the CARES Act unless the district judge “finds for specific reasons that the . . . sentencing in that case cannot be further delayed without serious harm to the interests of justice.” Given the nature of the offenses at issue in this case, and given Teman’s lack of criminal history, counsel for Teman submits that there aren’t any specific reasons in this case that would warrant a telephonic/video sentencing. Counsel for the Government has consented to a 45-day adjournment so that the parties, and the Court, can evaluate the situation again in July.

Second, given the outstanding motion practice, postponing the sentencing hearing will allow for a resolution without the influence of compressed time frames. Further, postponing the sentencing hearing will enable the parties to file their respective sentencing submissions closer to the date of sentencing (if any). To that end, if the Court were to provide Teman with any of the relief that he seeks, such would obviate the need for the parties to draft unnecessary sentencing submissions (and conserve the parties limited resources).

Given the foregoing, Teman submits that a continuance/adjournment of the sentencing hearing is appropriate under the circumstances.

¹ Teman and counsel for Teman also have individualized concerns about traveling to New York City at the moment.

Kind Regards,

/s/ Joseph A. DiRuzzo, III

Digitally signed by /s/ Joseph A. DiRuzzo, III
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Joseph A. DiRuzzo, III

Page | 2

JAD/

cc: AUSA K. Bhatia, via ECF

AUSA E. Imperatore, via ECF

J. Gelfand, via ECF

GRANTED. Sentencing is adjourned to July 21, 2020 at 11:15 a.m. The parties shall serve their sentencing submissions in accordance with this Court's Individual Rules & Practices in Criminal Cases. The Clerk of Court is requested to terminate the motion at Dkt. No. 135.

5/26/2020

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge